

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:	:	CHAPTER 11
	:	
RICHARD W. JOHNSON, JR. and	:	
ALYSE M. JOHNSON	:	Case No. 21-10054 (AMC)
	:	
Debtors	:	
	:	

ORDER SETTING DEADLINES FOR FILING PROOFS OF CLAIM

AND NOW, this ____ day of _____, 2021, upon consideration of the DEBTORS' MOTION TO ESTABLISH A DEADLINE FOR FILING PROOFS OF CLAIM AND APPROVING PROCEDURE, FORM AND NOTICE THEREOF PURSUANT TO BANKRUPTCY RULE 3003(c) AND LBR 9014-2(a)(7) (the "Motion"), and the Court being satisfied that the relief sought in the Motion is in best interests of the bankruptcy estate and creditors and other parties in interest, and that sufficient cause appearing therefore, it is hereby **ORDERED** that

1. ***March 5, 2021*** is the **DEADLINE for the filing of all CLAIMS and INTERESTS** by creditors and equity security holders (the "Bar Date") **EXCEPT** for those persons and entities described in **Paragraphs 2, 5, 6 and 7 below**.
2. ***July 7, 2021*** is the **DEADLINE for the filing of all CLAIMS and INTERESTS OF GOVERNMENTAL UNITS.**

PLEASE TAKE NOTE:

**THE FAILURE TO TIMELY FILE A PROOF OF CLAIM OR
INTEREST MAY RESULT IN THE LOSS OF**

**· THE RIGHT TO VOTE ON ANY PROPOSED PLAN OF
REORGANIZATION**

**· THE RIGHT TO SHARE IN ANY DISTRIBUTION OF MONEY OR
PROPERTY FROM THE BANKRUPTCY ESTATE OF THE DEBTORS**

3. Proofs of Claims or Interests shall be filed with:

Office of the Clerk
U.S. Bankruptcy Court
900 Market Street – 4th Floor
Philadelphia, PA 19107

4. Proofs of Claim mailed or delivered to the Office of the Clerk (the "Clerk")
will be deemed timely filed only if actually received by the Clerk on or before
the Bar Date.

**5. THE FOLLOWING PERSONS OR ENTITIES ARE NOT REQUIRED
TO FILE A PROOF OF CLAIM ON OR BEFORE THE BAR DATE:**

- a. any person or entity;
 - i. that has already properly filed a Proof of Claim against the Debtor with the Clerk of the Court for the United States Bankruptcy Court for the Eastern District of Pennsylvania; or
 - ii. whose claim is listed in the Debtor's schedules of assets and liabilities, list of equity holders, and statement of financial affairs (collectively, the "Schedules") or any amendments thereto, and
 - (a) whose claim is NOT described therein as "disputed," "contingent," or "unliquidated," and
 - (b) who does NOT dispute the amount or classification of its claim as set forth in the Schedules;

- b. any person or entity whose claim against the Debtors has been allowed by an Order of the Court entered before the Bar Date or has been paid with court authorization before the Bar Date;
- c. any person or entity that asserts and administrative expense claim against the Debtor pursuant to section 503(b) of the Bankruptcy Code;
- d. professionals retained by the Debtors pursuant to Orders of this Court who assert administrative claims for fees and expenses subject to the Court's approval pursuant to sections 330, 331 and 53(b) of the Bankruptcy Code;

6. ANY CLAIM ARISING FROM THE REJECTION OF AN EXECUTORY CONTRACT OR REJECTION OF AN UNEXPIRED LEASE SHALL BE FILED ON OR BEFORE THE LATER OF:

- a. **March 5, 2021; or**
- b. **thirty-five (35) days after the effective date of the rejection as set forth in the order of rejection.**

7. IF THE DEBTORS AMEND THE SCHEDULES AFTER THE DATE OF THIS ORDER, to designate any claim as contingent, unliquidated or disputed, or amends the Schedule to reduce the amount or classification of a Claim previously listed:

- a. The Debtors shall **forthwith** provide notice (the "Amendment Notice") to the Claimant of the amendment(s), describing with particularity the prior classification and amount of the claim originally set forth in the Schedules and the changes thereto resulting from the amendment;
- b. the Claimant shall have **until the later of the Bar Date or thirty-five (35) days after service of the Amendment Notice** in which to file a proof of claim.

8. On or before _____, the Debtor shall serve on all creditors, interest holders and other parties in interest, including all persons and entities who have filed an entry of appearance or a request for notices under Fed. R. Bankr. P. 2002 and all entities that may be entitled to notice under Fed. R. Bankr. P. 2002(j), copies of:

- a. **this Order**; and
- b. **a Proof of Claim Form** that conforms substantially to Official Form no. 410.

9. For purposes of Paragraph 8, the date of the Order shall be the “**Record Holder Date**” i.e., the date used to determine which holders of claims and interests shall be entitled to receive notice of the Bar Date and to vote on the Plan.

10. Promptly after complying with the service requirements of Paragraph 8 above, the Debtor shall file a Certification of Service therefor.

BY THE COURT:

Honorable Ashely M. Chan,
United States Bankruptcy Judge